

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

LAMOUNT AUSTIN,

Plaintiff,

v.

CIV 16-0017 MV/KBM

SELECT PORTFOLIO SERVICING, AND DOE,

Defendants.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

On July 25, 2016, the Chief Magistrate Judge filed her Proposed Findings and Recommended Disposition (*Doc. 15*), in which she recommended that Plaintiff LaMount Austin's Motion for Default Judgment be denied and that Defendant Select Portfolio Servicing's (SPS's) Motion to Dismiss be denied and that LaMount Austin be granted an opportunity to re-serve SPS within a specified time period. The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. As of today, no objections have been filed and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Chief Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 15*) is **ADOPTED**;
2. LaMount Austin's Motion for Default Judgment (*Doc. 9*) is **DENIED**.
3. SPS's Motion to Dismiss Complaint to Quiet Title (*Doc. 12*) is **DENIED**;
4. LaMount Austin has 30 days from the day this order is entered to re-serve SPS at its

proper address; and

5. If 123 E. Marcy Street, Suite 101, Santa Fe, NM 87501 is not a proper address for service of SPS in this action, SPS is ordered to give notice to this Court regarding its proper address for service and serve said notice on LaMount Austin within 14 days of the entry of this Order.

  
UNITED STATES DISTRICT JUDGE